

01-0302 PCT/PTO

30 DEC 2004


PTO-1390 (Rev. 10-2004)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 2142-01000
INTERNATIONAL APPLICATION NO. PCT/FR03/02039	INTERNATIONAL FILING DATE 01 July 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/520294
TITLE OF INVENTION MEANS FOR BIOLOGICALLY CONTROLLING CRYPTOGAMIC PLANT DISEASE		
APPLICANT(S) FOR DO/EO/US PAUL BERNARD		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PCT 308, 308, IPER, Published PCT Application</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. 107520294 <small>(If known, see 37 CFR 1.5)</small>		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER													
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th colspan="2" style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td colspan="2" style="height: 150px;"></td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td style="width: 20%; text-align: right;">\$ 950.00</td> <td></td> </tr> </table>		CALCULATIONS		PTO USE ONLY								\$ 950.00	
CALCULATIONS		PTO USE ONLY															
		\$ 950.00															
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: right;">\$</td> <td></td> </tr> </table>		\$											
\$																	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$													
Total claims	28 - 20 =	8	X \$18.00	\$ 144.00													
Independent claims	5 - 3 =	2	X \$88.00	\$ 176.00													
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	\$ 300.00													
TOTAL OF ABOVE CALCULATIONS =				\$ 1,570.00													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: right;">\$</td> <td></td> </tr> </table>		\$											
\$																	
SUBTOTAL =				\$													
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: right;">\$ 130.00</td> <td></td> </tr> </table>		\$ 130.00											
\$ 130.00																	
TOTAL NATIONAL FEE =				\$													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: right;">\$</td> <td></td> </tr> </table>		\$											
\$																	
TOTAL FEES ENCLOSED =				\$ 1,700.00													
				Amount to be refunded:	\$												
				Amount to be charged:	\$ 1,700.00												
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-2769</u> in the amount of \$ <u>1,696.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-2769</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																	
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.																	
SEND ALL CORRESPONDENCE TO: Marcella D. Watkins CONLEY ROSE, P. C. P. O. Box 3267 Houston, TX 77253-3267																	
				 SIGNATURE Marcella D. Watkins NAME 36,962 REGISTRATION NUMBER													

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF TRANSLATION

Honourable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

I, JOHN CHARLES McGILLEY, B.A. M.I.T.I., Technical Translator, of c/o
Priory Translations Limited, 11, Magdalen Street, Colchester, Essex, England,
hereby state:

THAT I am well acquainted with the French and English languages.

THAT I translated the document identified as PCT Patent Application No.
PCT/FR2003/002039 filed on 1st July 2003, from French into English;

THAT the attached English translation is a true and correct translation of PCT
Patent Application No. PCT/FR2003/002039

to the best of my knowledge and belief; and

THAT all statements made of my own knowledge are true and that all
statements made on information and belief are believed to be true and further,
that these statements are made with the knowledge that wilful false statements
and the like are punishable by fine or imprisonment, or both, under Section 1001
of Title 18 of the United States Code



JOHN CHARLES McGILLEY